

## Message Text

CONFIDENTIAL

PAGE 01 COTONO 00065 151119Z

22

ACTION AF-06

INFO OCT-01 ISO-00 EB-07 AID-05 L-03 SSO-00 IGA-02 OES-03

( ISO ) W

----- 108920

O 151005Z JAN 76

FM AMEMBASSY COTONOU

TO SECSTATE WASHDC IMMEDIATE 8021

INFO AMEMBASSY ABIDJAN IMMEDIATE

AMEMBASSY NIAMEY IMMEDIATE

C O N F I D E N T I A L COTONOU 0065

ALSO PASS AID/AFR/CWR

EO 11652: GDS

TAGS: EAID, PFOR, DM, US

SUBJ: COTONOU BRIDGE/DAM: HICKENLOOPER AMENDMENT IMPLICATIONS

REF A STATE 8495, B COTONOU 54, C COTONOU 34,

1. PER REF B, THE GPRB HAS ALREADY SIGNED AMENDMENT NO 2 OF OF THE S&T ENGINEERING CONTRACT. WE EXPECT SHORTLY TO RECEIVE A REQUEST FROM GPRB TO ISSUE A LETTER OF COMMITMENT FOLLOWING S&T TO START SUPERVISORY ENGINEERING OPERATIONS RELEVANT TO THE AFDB PORTION OF THE PROJECT.

2. PER REF C, WE URGE RESTRAINT IN USE OF HICKENLOOPER AMENDMENT AT THIS TIME. IT MAY BE APPROPRIATE TO INVOKE THAT AMENDMENT SOMETIME LATER, BUT NOT IN IMMEDIATE FUTURE. BELIEVE WE SHOULD TRY TO CONDUCT SOME MORE DIPLOMACY FIRST, TAKING ADVANTAGE OF BENIN'S LOSS OF GSP BENEFITS TO (A) DEMONSTRATE TO THE GPRB THAT SERIOUS ADVERSITY TO BENIN CAN RESULT FROM FAILURE TO INDEMNIFY EXPROPRIATED AMERICAN INTERESTS, AND (B) ENGENDER PROGRESS TOWARD SETTLEMENT OF THE CLAIMS. HICKENLOOPER AMENDMENT SHOULD BE HELD AS FINAL RESORT. IN MEANTIME IT WOULD BE BETTER TO PROCEED ON THE ASSUMPTION THAT IT WILL NOT BE NEEDED.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 COTONO 00065 151119Z

3. IN OUR OPINION IT WOULD BE A MISTAKE TO SUSPEND OP-

ERATIONS VIS-A-VIS THE SECOND AMENDMENT TO THE S&T CONTRACT. THE PURPOSE OF THIS AMENDMENT WAS TO DIVIDE THE SUPERVISORY ENGINEERING ON THIS PROJECT INTO TWO SEPARATE PARTS, COVERING THE AFDB RENOVATION OF THE OLD BRIDGE AND CONSTRUCTION OF A DAM ACROSS THE MOUTH OF THE LAGOON ON ONE HAND, AND THE AID-FINANCED CONSTRUCTION OF A NEW BRIDGE ON THE OTHER. IT IS PRECISELY BECAUSE THE AID PROJECT HAS EXPERIENCED DELAY THAT THIS AMENDMENT IS CALLED FOR. WHILE THE RENOVATION PORTION OF THE AFDB PROJECT CANNOT PROCEED WITHOUT THE AID PROJECT, CONSTRUCTION OF THE DAM CAN, AND GTE, THE FRENCH CONTRACTOR WHO WAS AWARDED THE AFDB JOB, HAS ALREADY COMMENCED PREPARATORY WORK. SERVICES OF THE SUPERVISORY ENGINEER WILL BE CALLED FOR BY THE BEGINNING OF NEXT MONTH. ONLY IF THE AFDB IS PREPARED TO SUSPEND WORK ON ITS PORTION OF THE PROJECT AT THIS TIME, A POSITION WE HAVE HAD NO INDICATION OF HERE, CAN WE LEGITIMATELY DEPRIVE THEM OF THE SUPERVISORY ENGINEERING THAT WE HAVE LED THEM TO EXPECT. REDSO MAY WISH TO COMMENT ON THE AFDB POSITION.

4. RECOMMENDED ACTION: URGE THAT FUNDING OF THE S&T AMENDMENT RELATING TO THE AFDB PORTION SHOULD GO AHEAD AS PLANNED. THE MONIES TO COVER THE AID PORTION OF THE CONSTRUCTION CAN EASILY BE WITHHELD IF AND WHEN IT PROVES NECESSARY TO INVOKE THE HICKENLOOPER AMENDMENT. IT WOULD BE DISFUNCTIONAL TO INTERRUPT THE PROGRAM OF OUR FELLOW DONR, THE AFDB, IN THE MEANTIME.  
ENGLE

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NATIONALIZATION, AMENDMENTS, BRIDGES (STRUCTURES), NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 15 JAN 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** coburnhl  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976COTONO00065  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760015-0566  
**From:** COTONOU  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760155/aaaabwrh.tel  
**Line Count:** 88  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION AF  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** coburnhl  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 22 JUN 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <22 JUN 2004 by greeneet>; APPROVED <05 OCT 2004 by coburnhl>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** COTONOU BRIDGE/DAM: HICKENLOOPER AMENDMENT IMPLICATIONS  
**TAGS:** EAID, EINV, PFOR, DM, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006